

Assistant Commissioner for Patents  
BOX PATENT APPLICATIONS  
Washington, DC 20231

01/24/00  
13 U.S. PTO

13 U.S. PTO  
09/489850  
01/24/00

UTILITY PATENT APPLICATION TRANSMITTAL  
[new nonprovisional applications under 37 C.F.R. §1.53(b)]

Transmitted herewith for filing is the patent application of:

INVENTOR(S): Diane VAN ALSTYNE, Lawrence Rajendra SHARMA

TITLE: PEPTIDES REPRESENTING EPITOPIC SITES FOR BACTERIAL AND VIRAL  
MENINGITIS CAUSING AGENTS AND THEIR CNS CARRIER, ANTIBODIES THERETO, AND  
USES THEREOF

In connection with this application, the following are enclosed:

APPLICATION ELEMENTS:

XX Specification - 86 TOTAL PAGES

(preferred arrangement:)

- Descriptive Title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Federally Sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

XX Drawings - Total Sheets 12

XX Declaration and Power of Attorney - Total Sheets 2

XX Newly executed (original or copy)

XX Copy from a prior application (37 CFR 1.63(d))

(relates to continuation/divisional boxes completed) - NOTE: Box below

XX DELETION OF INVENTOR(S) - Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

XX Incorporation By Reference (useable if copy of prior application  
Declaration being submitted)

The entire disclosure of the prior application, from which a COPY of the  
oath or declaration is supplied as noted above, is considered as being  
part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

XX Microfiche Computer Program (Appendix)

XX Nucleotide and/or Amino Acid Sequence Submission (if applicable,  
all necessary)

X Submission of Sequence Listing under 37 C.F.R. §1.821(e)

X Paper Copy (identical to computer copy)

X Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- XX Assignment Papers (cover sheet & document(s))
- XX 37 CFR 3.73(b) Statement (when there is an assignee)
- XX English Translation Document (if applicable)
- XX Information Disclosure Statement (IDS) with PTO-1449
- X Preliminary Amendments
- X Return Receipt Postcard (MPEP 503)
- X Small Entity Statement(s)

☒ Statement filed in prior application, status still proper and desired.  
☐ Certified Copy of Priority Document(s) with Claim of Priority  
(if foreign priority is claimed).  
☐ OTHER:

If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
of prior Application Serial No. 08/988,444, which in turn is a  
continuation of Application Serial No. 08/486,050, which in turn is a  
continuation-in-part of Application Serial No. 08/127,499.

☒ Amend the specification by inserting before the first line the  
following sentence: --This application is a ☒ continuation, ☐  
divisional or ☐ continuation-in-part of Application Serial No.  
08/988,444, filed December 11, 1997, which is a continuation of  
Application Serial No. 08/486,050, filed June 7, 1995, which is a  
continuation-in-part of Application Serial No. 08/127,499, filed  
September 28, 1993.--

**CORRESPONDENCE ADDRESS:**

Dr. Diane van Alstyne  
INSIGHT BIOTEK INC.  
130 MacPherson Avenue, No. 23, Toronto, Ontario M5R 1W8  
(416) 961-4188 (telephone), (416) 923-5701 (telecopier)


**FEE CALCULATIONS** (small-entity fees indicated in parentheses):

(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$690 (\$345)
Total Claims	12 - 20 =	0	x \$18 (x \$ 9)	0
Independent Claims	2 - 3 =	0	x \$78 (x \$39)	0
Multiple Dependent Claims			\$260 (\$130)	0
Assignment Recording Fee per property			\$40	0
Surcharge Under 37 C.F.R. 1.16(e)			\$130 (\$65)	0
TOTAL FEE:				\$345.00

**METHOD OF PAYMENT:**

A check in the amount of the above TOTAL FEE is attached. If payment by check is NOT enclosed, it is requested that the Patent and Trademark Office advise the undersigned of the period of time within which to file the TOTAL FEE. If payment enclosed, this amount is believed to be correct; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0741.

Respectfully submitted,

  
Stephen A. Bent  
Reg. No. 29,768

Date: January 24, 2000  
Docket No.: 51916/107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 051916/0107

In re patent application of  
Diane VAN ALSTYNE et al.

Group Art Unit: Unassigned  
Examiner: Unassigned

Serial No.: NEW

Filed: January 24, 2000

For: PEPTIDES REPRESENTING EPITOPIC SITES FOR BACTERIAL  
AND VIRAL MENINGITIS CAUSING AGENTS AND THEIR CNS  
CARRIER, ANDIBODIES THERETO, AND USES THEREOF

LETTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

By virtue of a petition filed January 21, 1999, and granted August 30, 1999, the undersigned has withdrawn as attorney of record in connection with the present application and its parent, Serial No. 08/988,444, and is filing the present Rule 53(b) continuation application as a courtesy to a foreign national. Please forward all correspondence to: Dr. Diane van Alstyne, INSIGHT BIOTEK INC., 130 MacPherson Avenue, No. 23, Toronto, Ontario M5R 1W8.

Respectfully submitted,



Stephen A. Bent

Registration No. 29,768

January 24, 2000  
Date

FOLEY & LARDNER  
3000 K Street, NW, Suite 500  
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(202) 672-5300

jc511 U.S. PTO  
09/489850

01/24/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 51916/107/INBI

jc511 U.S. PTO  
09/489850



In re patent application of

Diane VAN ALSTYNE

Serial No. Unassigned

Group Art Unit: Unassigned

Filed: December 11, 1997

Examiner: Unassigned

For: PEPTIDES REPRESENTING EPITOPIC SITES FOR BACTERIAL AND  
VIRAL MENINGITIS CAUSING AGENTS AND THEIR CNS CARRIER,  
ANTIBODIES THERETO, AND USES THEREOF

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted  
concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance  
with 37 C.F.R. § 1.821(g), does not include new matter; and

2. the content of the attached paper copy and the  
attached computer readable copy of the Sequence Listing,  
submitted in accordance with 37 C.F.R. § 1.821(c) and (e),  
respectively, are the same.

Respectfully submitted,

12-11-97  
Date

S. A. Bent  
Stephen A. Bent  
Reg. No. 29,768

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No: 089048/0141

In re patent application of

Diane VAN ALSTINE et al.

Serial No.: Unassigned

Filed: January 24, 2000

Box SEQUENCE

Group Art Unit: Unassigned

Examiner: Unassigned



For: PEPTIDES REPRESENTING EPITOPIC SITES FOR BACTERIAL AND VIRAL  
MENINGITIS CAUSING AGENTS AND THEIR CNS CARRIER, ANTIBODIES  
THERETO, AND USES THEREOF

**SUBMISSION OF SEQUENCE LISTING UNDER 37 C.F.R. §1.821(e)**

Assistant Commissioner for Patents  
Washington, DC 20231


Sir:

In order to comply with the requirements for patent applications containing amino acid and/or sequence disclosures, applicants refer to the Sequence Listing and the computer readable form thereof filed on December 11, 1997, in Parent Application Serial No. 08/988,444, which contains sequence information identical to that of the present application. Applicants hereby request, therefore, that the Sequence Listing of the parent application be used to fulfill the sequence disclosure requirements for the application in caption pursuant to 37 C.F.R. § 1.821(e). Enclosed are copies of the Sequence Listing and Statement to Support Filing and Submission in accordance with 37 C.F.R. §§ 1.821-1.825, which were filed in the parent application. Also enclosed is a copy of the Preliminary Amendments filed December 11, 1997, and March 31, 1999, which, among other changes, inserted the required references to SEQ ID NOS and requested incorporation of the Sequence Listing into the specification.

Applicants respectfully request examination of the instant application on the merits in due course.

Respectfully submitted,

24 January 2000  
Date

  
Stephen A. Bent  
Reg. No. 29,768

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